IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

WP(C).No. 21781 of 2007(R)

PETITIONER:

MERCHEM LIMITED,
2ND FLOOR, MALANKARA CENTRE, M.G. ROAD,COCHIN-35,
REPRESENTED BY ITS DIRECTOR, P.M.RAJU.

BY ADV. SRI.P.N.RAVINDRAN
SMT.PREETHY KARUNAKARAN
SMT.M.M.DEEPA
SRI.JAYKAR.K.S.

RESPONDENTS:
----

1. **STATE OF KERALA,**
   REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
   REVENUE DEPARTMENT, SECRETARIAT,THIRUVANANTHAPURAM

2. **THE DISTRICT COLLECTOR, ERNAKULAM.**

3. **THE TAHSILDAR, NORTH PARAVOOR.**

4. **THE ADDITIONAL TAHSILDAR,**
   NORTH PARAVOOR.

BY GOVERNMENT PLEADER SRI.M.R.SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.21781/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE JUDGMENT DT. 15.3.04 IN OP. NO.8574/03 OF THIS HONOURABLE COURT.

EXT.P2:- COPY OF THE SAID COMMUNICATION NO.D1-4704/07 DT.16.6.07.

EXT.P3:- COPY OF THE NOTICE IN FORM C DT. 16.6.07 ISSUED UNDER THE LAND CONSERVANCY ACT BY THE TAHSILDAR, NORTH PARAVOOR.

EXT.P4:- COPY OF THE REPRESENTATION DT. 1.7.6.07 ADDRESED TO THE DISTRICT COLLECTOR, ERNAKULAM BY THE PETITIONER.

EXT.P5:- COPY OF THE REPRESENTATION DT. 18.6.07 BEFORE THE HONOURABLE MINISTER FOR REVENUE.

EXT.P6:- COPY OF THE NOTICE ISSUED BY THE 4TH RESPONDENT DT. 9.7.07 TO THE PETITIONER.

EXT.P7:- COPY OF THE REPRESENTATION DT. 12.7.07 SUBMITTED BEFORE THE 2ND RESPONDENT BY THE PETITIONER.

EXT.P8:- COPY OF THE REPRESENTATION DT. 24.7.07 SUBMITTED BY THE COMPANY BEFORE THE PRINCIPAL SECRETARY TO GOVERNMENT.

EXT.P9:- COPY OF THE RELEVANT PORTION OF THE LITHO PLAN PREPARED BY THE REVENUE DEPARTMENT.

EXT.P10:- COPY OF THE SITE PLAN OF THE PROPERTY BELONGING TO THE PETITIONER

/TRUE COPY/

P.A. TO JUDGE

tss

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.21781 OF 2007

Dated this the 14th day of August, 2007

JUDGMENT

Having regard to the materials placed on record and having heard learned counsel for the petitioner and learned Government Pleader, this writ petition is disposed of directing that the District Collector, Ernakulam will transmit Ext.P7 for the consideration of the Government. The Government shall take up the said representation along with Ext.P8, afford the petitioner an opportunity of being heard and will issue an order on the contentions of the petitioner and the request for assignment. Let that be done within an outer limit of three months from the date of receipt of a copy of this judgment. The petitioner will be at liberty to produce such materials as may be necessary to appraise the Government to take a decision. The interlocutory order issued in this case will continue to govern the parties till a decision is taken as directed above.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.